

In Attendance: Deborah Peyton-Jones, Felix Rivera-Perez, Marilyn Barton, Andre Nunez, Natacha Unelus

AN Introduces group, the roles, the process, and the policies (confidentiality and non-retaliation).

Marilyn Barton Background Information

- Started at FIT in 1990
- Has worked in Graduate Studies since 2001

- NU – In your own words, please tell us what happened on May 16, 2019 between yourself and Marjorie Phillips (MP).
- MB – I will tell you what happened. It started about 10:30, shortly after I arrived to room E-315. The schedule I work is 10 a.m. – 6 p.m. I arrived at work at 10, it was a beautiful day, shortly after I arrived, at about 10:15-10:20, a student walked in. She said she wanted to participate in the commencement exercise but she didn't have regalia. I let her know that she could run to the bookstore and talk to Carla Bowens (CB), the store manager. After 15 minutes she returned and told me that CB said only you (Graduate Studies) can give me the regalia. The regalia we had each had one of the students name labeled on it. I talked to CB and told her, we are not sure if we have them but if the student comes tomorrow, Friday, I can try and help her. I hung up and thanked her.

The student looked really upset, she told me she needed to tell her family because she invited them to watch commencement. I knew I was going to be out Friday and not be able to help her but I wanted to give her one. We have numerous regalia that people never pick up. I told her to keep it on the "qt" but I would let her borrow a regalia and asked her to bring it back when she was done. She was thankful and she was left.

At this point Marjorie was observing then I went back to my seat. I was in and out. I was making a cup of coffee and then MP said to me, "What right do you have to privilege one student over all the others. You don't realize how hard it is for students to come up with the money for regalia." I'm not going to ask the student for money. My feeling was to help the student as quickly as possible because I was out the next day. CB said only the graduate school, maybe she didn't make it clear to CB that she didn't prepay.

I loaned her one. It seemed like the quickest way to help the student. She said, "You don't have the right to do that." If MP had a problem, I told her to take it up with the Dean. I was pushed to it, I felt bullied, and she pushes me, to my reaction. I am ashamed of my behavior, I felt awful, I was yelling, in impolite language, I told her to, "Shut the fuck up, I will kill you." In a metaphorical way. I am really embarrassed but for years and years, there has been constant belittlement, and constant comments, she chatters all day and it's endless. She says things that are inappropriate, I have been trying to help in the office. She talks to people in denigrating manner, I'm sorry, it was the last straw, over years of commentary.

- NU – I am going to ask you to draw a map of the office.

MB draws map of office.

- NU – Was there anything between you and MB when you approached her?

PLAINTIFF 33
12/16/2021 LS

DFIT000171

In Attendance: Deborah Peyton-Jones, Felix Rivera-Perez, Marilyn Barton, Andre Nunez, Natacha Unelus

- MB – I had coffee cups and stirrers in my hands. Anton Baptiste (AB) was behind me, I told him I was leaving. I'm not sure if Natasha Degen (ND) was there. I went in AB's office. It sounds like it went on forever but it all happened quickly. She was sitting down with her back to me, maybe 4 feet. I stopped there and I said, "Shut the fuck up, don't criticize me." I was really mad, I might have been at the divider (at her desk) with my arm on it. She got up and started walking towards me, she did put her hands on me, I think she did and then AB walk in. I don't think I touched her. It happened so quickly. I think I was holding a coffee cup and told her to keep away from me.
- NU – Do you recall if it was after or before, the "Shut the fuck up", walk me through it?
- MB – It all happened concurrently, she was telling me to calm down and that's when AB walked in. It was a very short altercation and then I left. I was upset because I feel like it's a bullying environment and it's been years. There are many things she's said to me. There was a situation where she accused me of racism.
- NU – Did you have issues with her prior to the investigation?

Union caucus.

- MB – The environment in the office, it's toxic been like this for years. I have been pushed and pushed Mary Davis (MD) knows about the situation. It is ongoing, I flinch when she (MP) walks in the room. It's uncomfortable. I have spoken to MD about it prior. I don't tell her every single thing. MP says certain things even to other people.
- NU – It was alleged that you charged towards MP, could you provide a response to that?
- MB – I was walking out and I stopped at her desk which is when I was yelling at her. I don't deny it. I am ashamed I lost my temper. I was pushed, it was the last straw. Marjorie complained about me, it went up to Affirmative Action and there still is no resolution.
- EL – There was an issue that MP had brought to Affirmative Action, MB was a respondent. We don't know if it is open or closed.
- MB – In the mean time I started seeing Robin Zarel as of last week.
- NU – To recap, you don't recall that you touched MP or that most likely you didn't, then I asked if she touched you.
- MB – She was walking towards me and she might have put her hand on my arm. She got up out of her chair and put her hands up, that's what I remember. In that exact moment AB walked in. I'm not sure why, I was very upset, it was a very quick altercation. I went to AB's office. I walked by him, he was within 20 inches of the door and stepped into the office and maybe holding the door open and I went and sat in his office. He did at some point follow me into his office I just can't say how long. I sat with him, I was upset, told him how bad I felt, I was ashamed of my behavior. It is such a toxic atmosphere. He talked to me for a little while, when MD came back I told her what happened. We were supposed to meet that day to discuss commencement.
- NU – Did UU say anything?
- MB – If she did, I don't remember.
- NU – She did witness everything?
- MB – Yes. She is behind a half way. I am not sure that she saw.

Union caucus.

In Attendance: Deborah Peyton-Jones, Felix Rivera-Perez, Marilyn Barton, Andre Nunez, Natacha Unelus

- MB – You’re asking me what happened, movement to moment I was so angry and it happened in a short time. It was years of harassments and bullying environment, it’s like intentionally cruelty, I lost my temper and I can’t tell you when her or my hand went up, it’s a horrible situation, MD knows about the office, it’s been going on since MP got put in our office. It has been an ongoing assault. I feel like im being assaulted all the time. That’s how I feel, Im sorry but I can’t tell you from moment to moment. I said things out of frustration and anger, I’m sorry.
- NU – Anyone else you think I should speak to?
- MB – Anton, he walked in.
- NU – Any questions for me?
- MB – I didn’t get the FedEx letter. I do have my property to give you.

MB hands over ID and keys.

AN closes meeting.